

REMARKS

In the Office Action mailed on **30 October 2007**, the Examiner reviewed claims 1-4, 6-13, 15-22, and 24-30. Claims 1-4, 6-13, 15-22 and 24-30 were rejected under 35 U.S.C. § 103(a) based on Hermann (EPO Patent Publication No. EP1024626A1 hereinafter “Hermann”), and Stirbu (US Pub. No. 2003/0200431 hereinafter “Stirbu”).

In the telephone interview conducted on **10 January 2008**, Applicant and Examiner discussed possible amendment options. Applicant proposed during the interview that the new amendment may include language to further clarify the “*provisional information*”, i.e., “*the provisional information includes a credential which facilitates the said situation notification device becoming a member of a secure credential infrastructure.*”

Examiner pointed out that the meanings of “*provisioning information*” and “*credential*” in the suggested amendments are not clearly defined, and suggested that in addition to the suggested amendments, Applicant might consider further clarifying “*provisioning information*” and “*credential*.”

Examiner also recommended during the interview that after filing the instant amendment, Applicant make a new appointment with the Examiner to discuss the filed amendment before the next official action.

After the telephone interview, Applicant has decided to use a different amendment approach. Consequently, the above-proposed amendment was not used.

Rejections under 35 U.S.C. §103

Independent claims 1, 10, and 19 were rejected under 35 U.S.C. § 103 based on Hermann and Stirbu. Applicant respectfully points out that Hermann is directed to establishing a secure session between devices to provide cryptographic means to prevent an eavesdropper from learning the contents of the messages

between the devices (see Hermann, paragraphs [0047]-[0054]). Moreover, Stirbu is directed to a handshake protocol wherein a client, having a secret key, authenticates a server and vice versa, so as to be able to communicate with each other via a connection established between the client and the server (see Stirbu, paragraph [0010].)

In contrast, the instant application teaches: **pre-authenticating the situation notification device** prior to establishing communication between the situation notification device and the provisioning device **over a preferred channel, to ensure that the situation notification device has physical access to the preferred channel** (see page 12, paragraphs [0055] and [0056] of the instant application).

This is beneficial because pre-authenticating the situation notification device allows an administrator of the preferred channel to **be assured that during communication, credentials (such as keys) can only be provided to the trusted member devices. More specifically, such a trust on a member device is established based on the physical access to the preferred channel.** For example, if the user is an employee who has physical access to the building where the preferred channel is located, the user can be trusted to communicate and receive credentials over the preferred channel.

There is nothing within Hermann and Stirbu, either separately or in concert, which suggests pre-authenticating a device to ensure that the device has physical access to a preferred channel, before establishing the communication between the situation notification device and the provisioning device over a preferred channel.

Accordingly, Applicant has amended independent claims 1, 10, and 19 to clarify that the present invention provides a technique for establishing communication between a situation notification device and a provisioning device over a preferred channel by **pre-authenticates the situation notification device to ensure that the situation notification device has physical access to a**

preferred channel. These amendments find support in page 12, paragraphs [0055] and [0056] of the instant application. No new matter has been added.

Hence, Applicant respectfully submits that independent claims 1, 10, and 19 are in condition for allowance. Applicant also submits that claims 2-4, 6-9, and 28, which depend upon claim 1, claims 11-13, 15-18, and 29, which depend upon claim 10, and claims 20-22, 24-27, and 30, which depend upon claim 19, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date: 13 February 2008

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